

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 30, 2010

Mr. David M. Milan
Consultant
Cantrell McCulloch, Inc.
12750 Merit Drive, Suite 400
Dallas, Texas 75251

Re: Negative Use Determination for Application 14259:
Encore Wire Corporation
McKinney Facility
1329 Millwood Road
McKinney (Collin County)

Dear Mr. Milan:

The Texas Commission on Environmental Quality (TCEQ) has completed the review for application 14259, received on July 19, 2010. A negative determination is issued for this application. The applicant failed to provide a citation to an appropriate adopted environmental rule requiring the installation of the two Excel Model EX63 Balers.

If you wish to appeal this determination, the process for appealing can be found at 30 Texas Administrative Code § 17.25. **Note: pursuant to 17.25(a)(1), an appeal must be filed with the chief clerk of the commission within 20 days of receipt of this letter.** If appealed, please submit a copy of your appeal to the TCEQ Tax Relief for Pollution Control Property Program at the letterhead address, Mail Code 110.

If you have any questions or require additional information, please contact Ron Hatlett with the Tax Relief for Pollution Control Property Program at the letterhead address, Mail Code 110, by telephone at (512) 239-6348, or by e-mail at rhatlett@tceq.state.tx.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "cgoodin".

Chance Goodin, Team Leader
Stationary Source Programs
Air Quality Division

CG/rh

cc: Chief Appraiser, Collin County Appraisal District, 250 W Eldarodo Parkway, McKinney, Texas 75069

SECOND REVISED APPLICATION 14259

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
APPLICATION FOR USE DETERMINATION
FOR POLLUTION CONTROL PROPERTY
TCEQ-00611**

The TCEQ has the responsibility to determine whether a property is a pollution control property. A person seeking a use determination must complete the attached application or a copy or similar reproduction. For assistance in completing this form refer to *Property Tax Exemptions for Pollution Control Property* (TCEQ publication RG-461), as well as 30 TAC 17, the rules governing this program. For additional assistance, please call the Tax Relief Program at 512-239-6348. Mail the completed application, along with a complete copy for each listed appraisal district and the appropriate fee, to: Cashier's Office, MC 214, TCEQ, P.O. Box 13088, Austin, TX 78711-3088.

You must supply information for each field unless otherwise noted.

1. GENERAL INFORMATION

A. What is the type of ownership of this facility?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> Sole Proprietor |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Utility |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Other: |

Received**JUL 19 2010****Air Quality Division**

B. Size of Company: Number of Employees

- | | |
|--|---|
| <input type="checkbox"/> 1 to 99 | <input type="checkbox"/> 1,000 to 1,999 |
| <input checked="" type="checkbox"/> 100 to 499 | <input type="checkbox"/> 2,000 to 4,999 |
| <input type="checkbox"/> 500 to 999 | <input type="checkbox"/> 5,000 or more |

C. Business Description: (Briefly describe the type of business or activity at the facility)

Pure copper wire drawing, insulating and jacketing; plastic pellet prod and copper melting

D. Your North American Industry Classification System six-digit code.

335929**2. TYPE OF APPLICATION**

- | | |
|---|--|
| <input checked="" type="checkbox"/> Tier I \$150 Fee | <input type="checkbox"/> Tier III \$2,500 Fee |
| <input type="checkbox"/> Tier II \$1,000 Fee | <input type="checkbox"/> Tier IV \$500 Fee |

NOTE: Enclose a check, money order to the TCEQ, or a copy of the ePay receipt along with the application to cover the required fee.

3. NAME OF APPLICANT

A. Company Name:

Encore Wire Corporation

B. Mailing Address (Street or P.O. Box):

1329 Millwood Road

C. City, State, ZIP:

McKinney, TX 75069**4. PHYSICAL LOCATION OF PROPERTY REQUESTING A TAX EXEMPTION**

A. Name of Facility or Unit:

McKinney Mfg.

B. Type of Mfg. Process or Service:

Copper wire melting drawing, insulating and jacketing

C. Street Address:

1329 Millwood Road

D. City, State, ZIP:

McKinney, TX 75069

E. Tracking Number (optional):

01-31-10 TierI-Baler

F. Company or Registration Number:

5. APPRAISAL DISTRICT WITH TAXING AUTHORITY OVER PROPERTY

A. Name of Appraisal District: Collin Central Appraisal District
 B. Appraisal District Account Number: 1966596
 [if not yet on tax roll, enter "new property"]

Received**JUL 19 2010****6. CONTACT NAME**

A. Company/Organization Name: Cantrell McCulloch, Inc
 B. Name of Individual to Contact: David M. Milan
 C. Mailing Address (Street or P.O. Box): 12750 Merit Drive, Suite 400
 D. City, State, ZIP: Dallas, TX 75251
 E. Phone Number and Fax Number: (972) 630-6685 ; Fax (214) 594-9993
 F. E-Mail Address (if available): dmilan@cmi-tax.com

Air Quality Division**7. PROPERTY DESCRIPTION, APPROPRIATE RULE, AND ENVIRONMENTAL BENEFIT**

For each piece, or each category, of pollution control property, answer the following questions.

A. Property Name and Equipment and Categories-List Number

Name the property. *Plant 2 Baler.*

What is the appropriate ECL number? *M-4*

Is the ECL percentage based on the incremental cost difference? ☐ Yes ☒ No

If the answer is "yes," you must answer the following questions:

1. What is the cost of the new piece of equipment?
2. What is the cost of the comparable equipment?
3. How was the value of the comparable equipment calculated?

B. Describe the property. (What is it? Where is it? How is it used?) If the property includes land or environmental paving you must include a plot plan. The requested land or paving must be highlighted and the square footage must be listed. For paving the cost of the paving per square foot must be provided.

Installed baler in plant 2 to compress scrap nylon, cardboard, and scrap PVC to be recycled.

C. What adopted environmental rule or regulation is being met by the construction or installation of this property? See Attachment "A" for more Detail

The baler was installed in order to meet the requirements of : 1. 30 TAC 335.473 (pollution prevention - source reduction/waste minimization); 2. Pollution Prevention Act of 1990; 3. EPCRA Section 313 (TRI); 4. 30 TAC 335.4 (industrial solid waste);

D. What is the anticipated environmental benefit related to the construction or installation of the property?

The use of the baler will be used to reduce and recycle solid material waste generated in the manufacturing process.

E. Provide a Process Flow Diagram. The diagram must show where the property is located within the process and list all inputs and outputs. Explain the disposition of the outputs.

8. PARTIAL-PERCENTAGE CALCULATION

This section is to be completed for Tier III and IV applications. For information on how to conduct the partial-percentage calculation, see the instructions. Attach calculations to completed application.

9. PROPERTY CATEGORIES AND COSTS

List each control device or system for which a use determination is being sought. Include additional attachments for more than three properties.

Property	Taxable on 1/01/94?	DFC Box	ECL #	Estimated Cost	Use %
Land					
Property <u>Plant 2 Excel Model EX63 Baler</u>	<u>No</u>	<u>12</u>	<u>M-4</u>	<u>62,662</u>	<u>100%</u>
Totals	No	12		62,662	100%

10. EMISSION REDUCTION INCENTIVE GRANT

(For more information about these grants, see instructions.)

Will an application for an Emission Reduction Incentive Grant be filed for this property or project?

☐ Yes

☒ No

11. APPLICATION DEFICIENCIES

After an initial review of the application, the TCEQ may determine that the information provided with the application is not sufficient to make a use determination. The TCEQ may send a notice of deficiency, requesting additional information that must be provided within 30 days of the written notice.

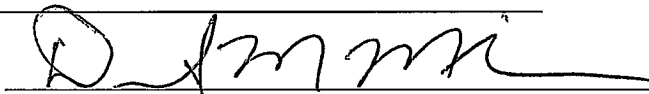
12. SIGNATURE

By signing this application, you certify that this information is true to the best of your knowledge and belief.

Printed Name: David M. Milan

Date: 7/16/2010

Signature



Title

Consultant

Company:

Cantrell McCulloch, Inc.

Under Texas Penal Code 37.10, if you make a false statement on this application, you could receive a jail term of up to one year and a fine up to \$2,000, or a prison term of two to 10 years and a fine of up to \$5,000.

13. DELINQUENT FEES AND PENALTIES

This form will not be processed until all delinquent fees and penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

Received

Attachment A

A. TCEQ'S POLLUTION PREVENTION RULE (see below).....Pollution Prevention Plans, 30 TAC §335.474; Reports and Recordkeeping, 30 TAC §335.476

This rule requires facilities such as Encore which is a small quantity generator and a TRI reporter (see B below) to implement 5-year plans for source reduction and waste minimization activities....the Plan targets hazardous waste and TRI chemical releases. Encore must file a report every year on its pollution prevention progress.

As indicated in "B" below, the baler affects "TRI" chemicals at Encore. Among the materials that the baler recycles is PVC stripping which contains lead (as an impurity in the fire retardant portion of the PVC) and antimony compounds (as the active component of the fire retardant in the PVC).....these are 2 of the toxic chemicals that Encore reports every year on the TRI report.

<u>TITLE 30</u>	ENVIRONMENTAL QUALITY
<u>PART 1</u>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<u>CHAPTER 335</u>	INDUSTRIAL SOLID WASTE AND MUNICIPAL HAZARDOUS WASTE
<u>SUBCHAPTER Q</u>	POLLUTION PREVENTION: SOURCE REDUCTION AND WASTE MINIMIZATION

B. POLLUTION PREVENTION ACT OF 1990 (see below); §13106(a). Source reduction and recycling data collection.....(a) Reporting requirements (see excerpt below)

The Pollution Prevention Act of 1990 requires that facilities which are required to file a Toxics Release Inventory (TRI) report to include in this report source reduction and recycling activities that were implemented to reduce the release of a reportable TRI chemical into the environment.

Among the materials that the baler recycles is PVC stripping which contains lead (as an impurity fire retardant portion of the PVC) and antimony compounds (as the active component of the fire retardant in the PVC).....these are 2 of the toxic chemicals that Encore reports every year on the TRI report.

Pollution Prevention Act of 1990

UNITED STATES CODE TITLE 42 THE PUBLIC HEALTH AND WELFARE CHAPTER 133

POLLUTION PREVENTION

§ 13106. Source reduction and recycling data collection

(a) Reporting requirements

Each owner or operator of a facility required to file an annual toxic chemical release form under section 11023 of this title for any toxic chemical shall include with each such annual filing a toxic chemical source reduction and recycling report for the proceeding (FOOTNOTE 1) calendar year. The toxic chemical source reduction and recycling report shall cover each toxic chemical required to be reported in the annual toxic chemical release form filed by the owner or operator under section 11023(c) of this title. This section shall take effect with the annual report filed under section 11023 of this title for the first full calendar year beginning after November 5, 1990.

Received

JUL 19 2010

Air Quality Division

Attachment A

C. TPDES GENERAL STORM WATER PERMIT TXR050000..Part III.A.5(e) (see below)

The TPDES permit requires facilities to implement Best management practices (BMPs) which are schedules of activities, prohibitions of practices, maintenance procedures, and other techniques to control, prevent or reduce the discharge of pollutants. The baler is an industry-wide accepted BMP to reduce waste formation...by reducing waste, Encore reduces the actual and potential exposure of waste to storm water as a result of outdoor handling and storage. Encore also reduce landfill waste and storm water exposure.

Multi Sector General Permit TPDES General Permit No. TXR050000

Part III. Permit Requirements and Conditions Common to all Industrial Activities

Section A. Minimum Storm Water Pollution Prevention Plan (SWP3) Requirements

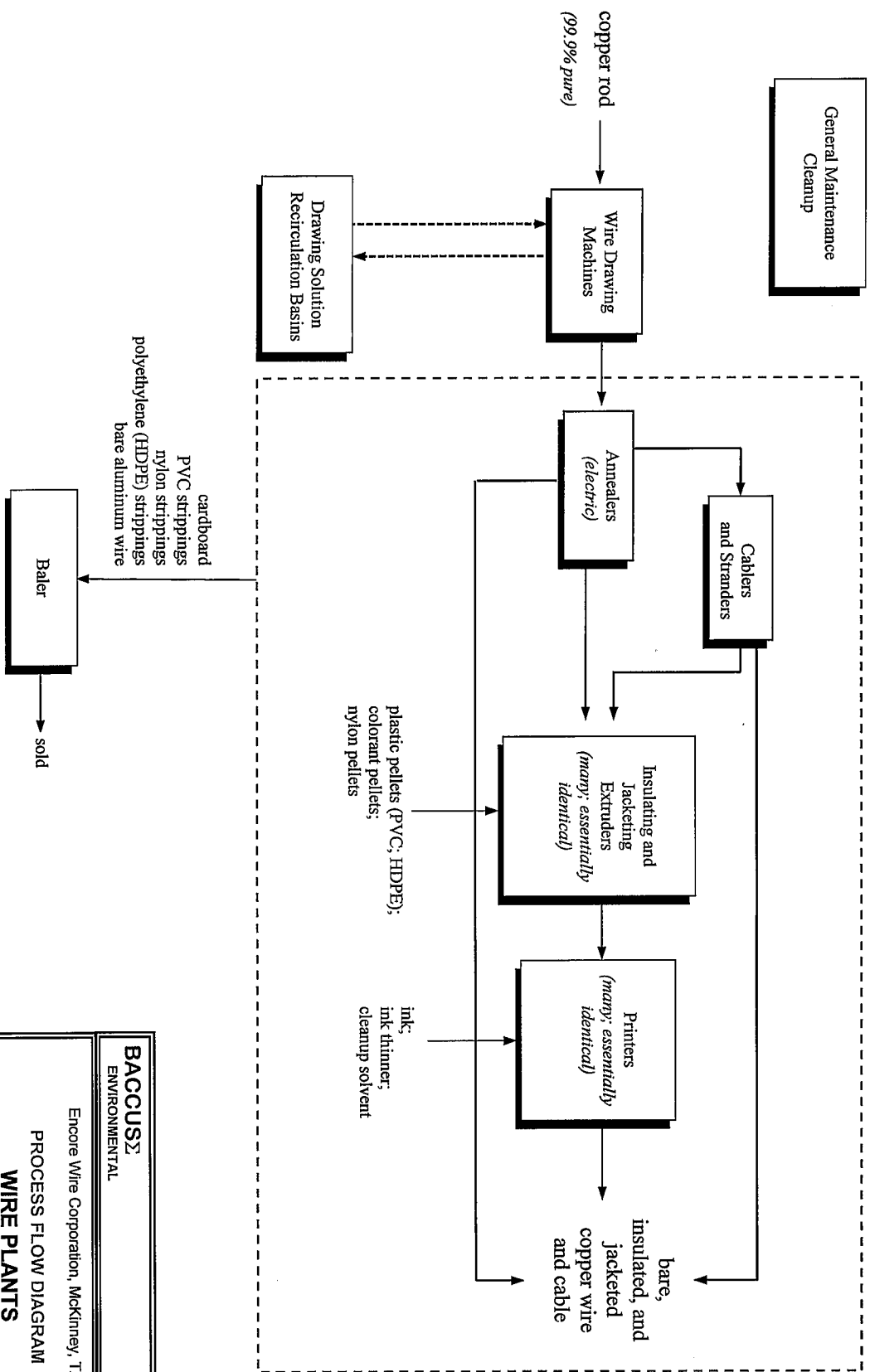
5. Pollution Prevention Measures and Controls

(e) Best Management Practices (BMPs): A section within the SWP3 shall be developed to establish BMPs to reduce the discharge and potential discharge of pollutants in storm water. Development of BMPs shall be based on the activities and potentials for contamination that are identified in Part III.A.4. of this general permit, "Description of Potential Pollutants and Sources."

Received
JUL 19 2010
Air Quality Division

JUL 19 2010

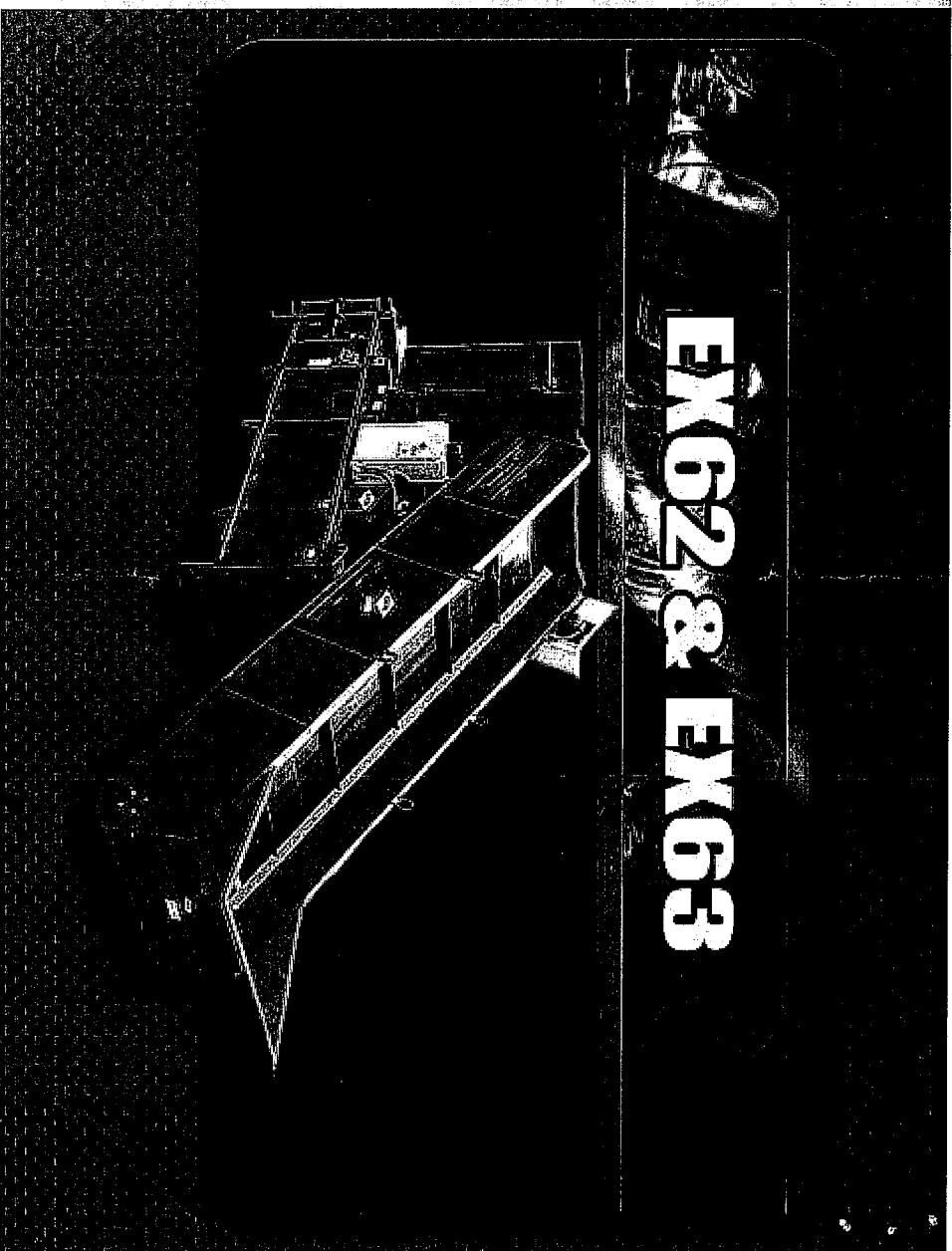
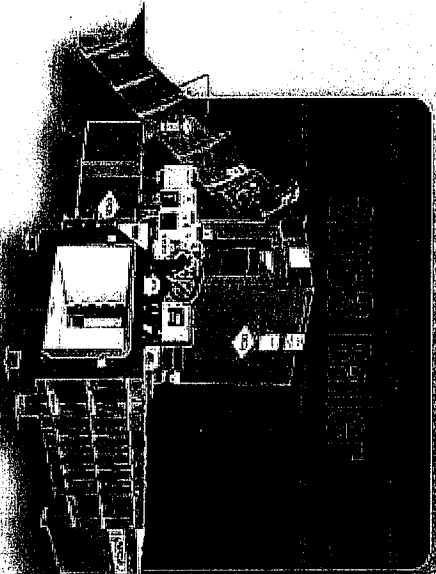
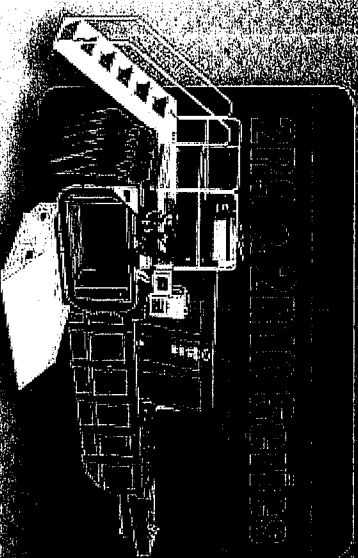
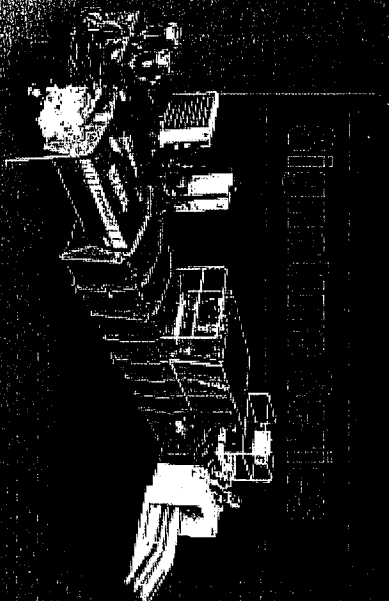
Air Quality Division



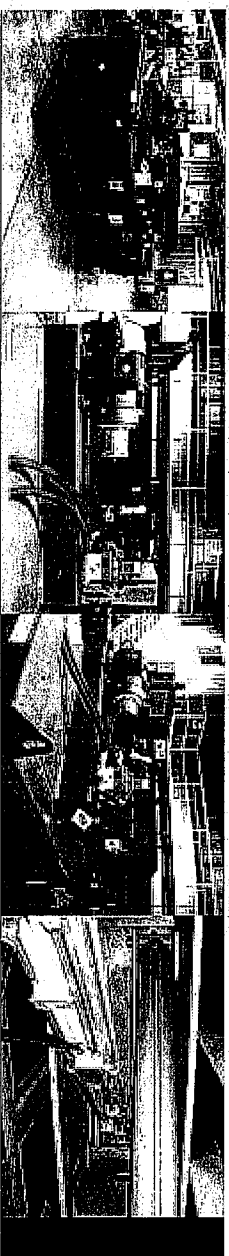
BACCUS2
ENVIRONMENTAL

Encore Wire Corporation, McKinney, TX
PROCESS FLOW DIAGRAM
WIRE PLANTS

5.13.10



Paper Baler Photos: EX62 & EX63 Series Balers



Paper baler

Baler fittings

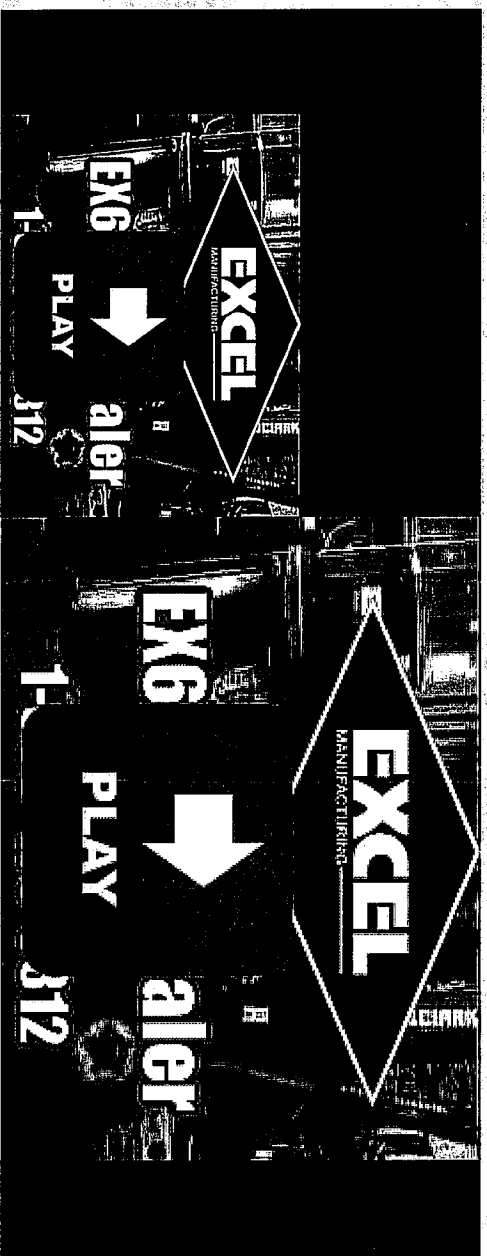
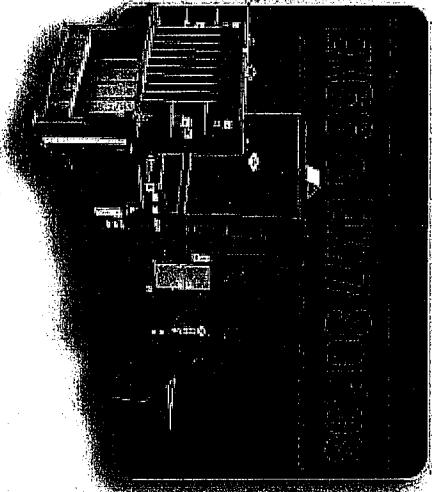
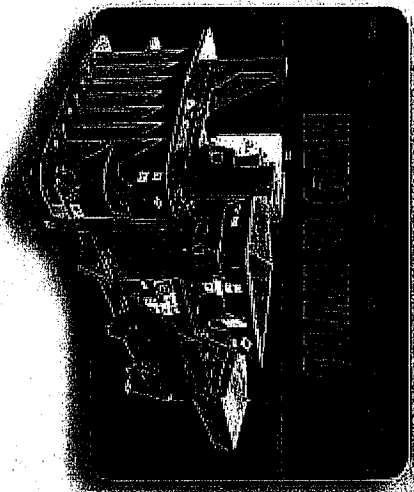
Hydraulic baler parts

Cardboard baler cylinders

Click baler photos above to enlarge

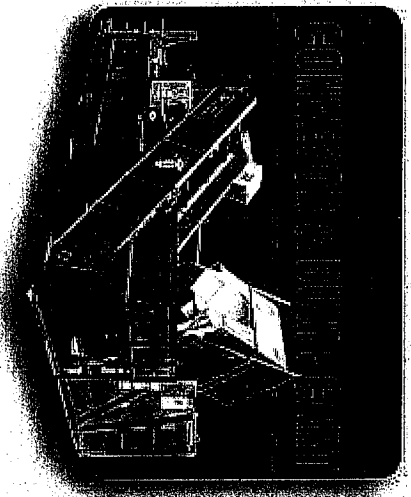
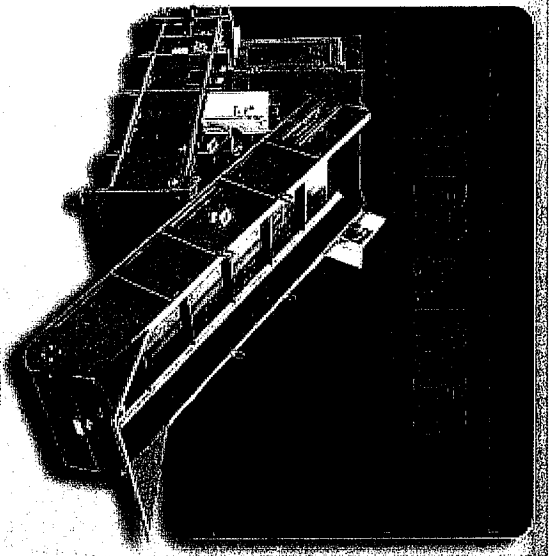
EX62 & EX63 Series Balers – Paper Baler Machines

The Excel EX62 & EX63 balers are designed to perform as paper recycling balers, cardboard balers, newspaper balers, aluminum can balers, tin can balers, PET balers, and HDPE balers. These recycling machines operate extremely well as recycling balers for many different recyclable products. Our baling machines produce the best mill-sized bales in the baling industry without preconditioning. Excel uses only the highest quality baler components available for ultimate performance and paper baler reliability.



Standard Features: EX62 & EX63 Series Balers

- Hydraulic Door Latch (EX63 baler only)
- Regenerative Circuit (EX63 baler only) Reduces cycle time by 17 seconds
- The EX62 baler is manufactured standard with either left-hand or right-hand door swing
- 20 HP TEFC Motor, Standard Voltage - 208, 230, 460 Volt, 60 Hertz, 3 Phase
- Horsepower limited Pressure Compensated Piston Pump
- Removable Shear Blade with Four Cutting edges



- Six Fully Guided Wire Tie Slots
- Automatic Bale Sizing System
- Automatic Shear Jam Correction
- Short Stroke Feature to Reduce Cycle Time
- Excel's 1-2-3 Warranty (1 Year Labor, 2 Year Parts, 3 Year Structural & Cylinder) (U.S.A. only)
- Complete with MV32 Hydraulic Oil
- NEMA 12 rated Enclosures and Controls
- Remote Controls - According to Door Swing
- Safety Interlock Door with Decompression
- Clean-out Tool, Grease Gun, and Extra Touch-up Paint
- One Bundle of 12 x 13 Single Loop Wire Ties
- Sandblasted, Primed, and Painted Excel Blue for Long Lasting Durability
- Standard Hopper
- Lower Photo Eye
- UL, CUL Approved (CE Available)
- PLC Controlled Operation
- Available with an Excel above ground or in-ground conveyor for a turn-key system

The Excel EX62 & EX63 Series Balers bale the following materials:

- Office Paper
- Newspaper
- OCC
- Magazines
- PET
- HDPE
- Aluminum Cans
- Tin Cans
- Plastic Film
- Carpet Padding
- Textiles
- Other materials

Ronald Hatlett - RE: Encore Wire 14259 - Additional information regarding Baler

From: "David Milan" <dmilan@cmi-tax.com>
To: "Ronald Hatlett" <RHATLETT@tceq.state.tx.us>
Date: 8/5/2010 12:39 PM
Subject: RE: Encore Wire 14259 - Additional information regarding Baler

Ron,

As we discussed briefly, Encore Wire is a small quantity generator and is required to file Toxic Release Inventory (TRI) reports annually. The baler at issue is used to recycle PVC stripping which contains lead that is an impurity in the fire retardant portion of the PVC, and antimony compounds which is the active component of the fire retardant in the PVC as well as zinc which is part of the non lead stabilizer in the PVC. These chemicals are reported each year by Encore in their TRI reports. The baled materials are then sent out for appropriate handling, recycling and disposal as opposed to just sending to a land fill. As you are aware, The Pollution Prevention Act of 1990 requires facilities to include in their TRI reports, source reduction and recycling activities that were implemented to reduce the release of a TRI chemical into the environment.

As a side note, even though Encore is a small quantity generator, by virtue of being required to file the TRI reports, they are automatically required by the State of Texas to implement a 5-year plan for source reduction and waste minimization that specifically relates to hazardous waste and TRI chemical releases. Encore must file a report with the state every July 1st addressing their pollution prevention progress.

If you have any additional questions or need to discuss further, please give me a call.

Kind regards,

David Milan

PLEASE NOTE OUR NEW ADDRESS:

David M. Milan, ASA
Cantrell McCulloch, Inc.
12750 Merit Drive, Ste. 400
Dallas, TX 75251
Phone 214-368-5566, ext 332
Fax 214-594-9993
Cell 214-957-1746
dmilan@cmi-tax.com

From: Ronald Hatlett [mailto:RHATLETT@tceq.state.tx.us]
Sent: Tuesday, July 20, 2010 8:12 AM

To: dmilan@cmi-tax.com
Subject: Encore Wire 14259

Mr. Milan,

I have reviewed your response related to the baler application. While some of the listed rules and laws encourage recycling, none require the installation or use of this baler. Please provide a citation to the subsection of an adopted environmental rule or regulation which requires the installation and use of the baler.

When we received the response to the original notice of deficiency we treated the application with the baler as application 14259. We have been holding the other three applications pending the payment of the appropriate application fees of \$450 (3 x \$150). We have not received confirmation of the fee payment. If the fees have been paid please provide us with proof. If the fees have not been paid please either pay them or let us know so that we can return the applications.

Thank you for your assistance in this matter.

Ron Hatlett

[Spam](#)

[Not spam](#)

[Forget previous vote](#)

**TAX RELIEF FOR POLLUTION CONTROL PROPERTY:
TECHNICAL REVIEW DOCUMENT**

Reviewed By: RLH **App. No:** 14259 **Review Start Date:** 07/20/2010

Company Name: Cantrell McCulloch, Inc

Facility Name: McKinney Facility

County: Collin **Outstanding Fees:** N

Batch/Voucher Number: BS00011146-D0802049 **Receipt Number:** R016766

ADMINISTRATIVE REVIEW

Administrative NOD Issued: 1. Divide the equipment into separate applications for either separate items or for integrated systems installed to control the same pollutant. Please note, to be integrated, the pollution control systems must be connected. 2. Provide a process flow diagram, plot plan or drawing showing the location of each piece of equipment. Provide a description of each item answering the following questions. Where is it located? How is it used? What purpose does it serve? What happens to the recovered material? What is the environmental benefit? 3. Provide a citation to the specific rule section and subsection that requires the installation and use of each piece of equipment. 4. Provide an original and copy of your revised application as required by 30 TAC §17.10(a)(1). When preparing your revised applications use the current application form which can be located at this link: <http://www.tceq.state.tx.us/implementation/air/taxrelief>.

Response to NOD: Revised application.

Administrative Complete Date:

TIER LEVEL

What Tier is this application? Is this the appropriate level?

On August 5, 2010, a response to the July, 20, 2010, notice of deficiency was received. The applicant failed to provide any information about the applications that are on hold. Additional information was provided about the baler. The applicant is unable to cite to an adopted environmental rule requiring the installation of the baler. A negative determination should be issued.

RELEVANT RULE, REGULATION, OR STATUTORY PROVISION

The rule listed in the application is: 30 TAC 101 **The appropriate rule is:** Explain why this is the appropriate rule?

The applicant has not provided a citation to an adopted environmental rule or regulation requiring the use of the baler. A negative determination should be issued.

BRIEF DESCRIPTION OF PROPERTY

The property is described as:

Two Excel Model EX63 Balers.

Is an adequate description and purpose of the property provided? Does it list the anticipated environmental benefits? Are sketches and flow diagrams provided if needed?

The applicant has not provided a citation to an adopted environmental rule or regulation requiring the use of the baler. A negative determination should be issued.

DECISION FLOWCHART(30 TAC 17.15(a)) [Old DFC I=7, II=9, III=10] Mark the appropriate boxes: Box 3 N Box 5 Box 6(IV) Box 10(III) Box 12(I) Box 13(II)

PART B DECISION FLOWCHART (17.15(b))

Mark the appropriate boxes: Box 1 Box 2 Box 3

Describe how the property flowed through the Decision Flowchart:

The applicant has not provided a citation to an adopted environmental rule or regulation requiring the use of

the baler. A 'no' answer is received for box 3 on the DFC. A negative determination should be issued.

TIER III or IV APPLICATIONS

Does your calculation agree with the applicants?

The applicant has not provided a citation to an adopted environmental rule or regulation requiring the use of the baler. A negative determination should be issued.

PROPERTY CATEGORIES AND COSTS

Is the table completed correctly? Has the applicant certified that all listed property became taxable for the first time after January 1, 1994? Is all information necessary for conducting the technical review included.

The applicant has not provided a citation to an adopted environmental rule or regulation requiring the use of the baler. A negative determination should be issued.

TECHNICAL DEFICIENCIES

Is the application complete as received: N If the application was not administratively complete explain below when justifying the final decision in the final determination section. If the application was not technically complete then:

Provide the language to be used in the Notice of Deficiency (NOD) letter:

Summarize the NOD response:

Provide the language used in the second NOD letter:

Summarize the second NOD response:

Provide the language used in the third NOD letter:

Summarize the third NOD response:

FINAL DETERMINATION

If the property description has been summarized enter the detailed property description:

Two Excel Model EX63 Balers.

Provide the reason for your final determination:

The applicant has not provided a citation to an adopted environmental rule or regulation requiring the use of the baler. A negative determination should be issued.

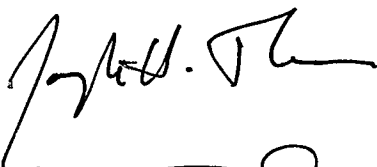
Provide the language for the final determination.

The applicant failed to provide a citation to an appropriate adopted environmental rule requiring the installation of the two Excel Model EX63 Balers .

Required signatures and date signed.

Reviewed: *Ronald Hatfield*

Date Signed: *5/19/2010*

Peer Reviewed:  Date Signed: 8/20/10

Work Lead:  Date Signed: 8/23/10

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 15, 2010

Mr. David M. Milan
Consultant
Cantrell McCulloch, Inc.
12750 Merit Drive, Suite 400
Dallas, Texas 75251

Re: Notice of Deficiency for Application 14259:
Encore Wire Corporation
McKinney Facility
1329 Millwood Road
McKinney (Collin County)

Dear Mr. Milan:

The Texas Commission on Environmental Quality (TCEQ) has conducted an administrative review for revised application 14259, received on May 18, 2010. To complete this review, the additional information below must be added to your application, which is being returned with this letter for this purpose. **Please submit a revised application to our office by July 17, 2010.**

Please provide a citation to the appropriate subsection of the adopted environmental rule requiring the installation of the baler. None of the listed rules require the recycling of waste material.

The TCEQ appreciates your response in this matter. We anticipate that you will submit the revised application; however, if you do not submit an adequate response by the date indicated on this letter, your application will be voided and your application fee will be forfeited under §17.20(b). If you have any questions or require clarification, please contact Ronald Hatlett with the Tax Relief for Pollution Control Property Program at the letterhead address, Mail Code 110, by telephone at (512) 239-6348, or by e-mail at rhatlett@tceq.state.tx.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "cgoodin".

Chance Goodin, Team Leader
Stationary Source Programs
Air Quality Division

CG/rh

Enclosure

cc: Chief Appraiser, Collin County Appraisal District, 250 W Eldarodo Parkway, McKinney, Texas 75069

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 13, 2010

Mr. David M. Milan
Consultant
Cantrell McCulloch, Inc.
12750 Merit Drive, Suite 400
Dallas, Texas 75251

Re: Notice of Deficiency for Application 14259:
Encore Wire Corporation
McKinney Facility
1329 Millwood Road
McKinney (Collin County)

Dear Mr. Milan:

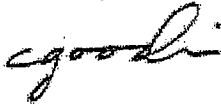
The Texas Commission on Environmental Quality (TCEQ) has conducted an administrative review for application 14259, received on February 10, 2010. To complete this review, the additional information below must be added to your application, which is being returned with this letter for this purpose. **Please submit a revised application to our office by May 16, 2010.**

1. Divide the equipment into separate applications for either separate items or for integrated systems installed to control the same pollutant. Please note, to be integrated, the pollution control systems must be connected.
2. Provide a process flow diagram, plot plan, or drawing showing the location of each piece of equipment. Provide a description of each item answering the following questions. Where is it located? How is it used? What purpose does it serve? What happens to the recovered material? What is the environmental benefit?
3. Provide a citation to the specific rule section and subsection that requires the installation and use of each piece of equipment.
4. Provide an original and copy of your revised application as required by 30 TAC §17.10(a)(1). When preparing your revised applications use the current application form which can be located at this link: <http://www.tceq.state.tx.us/implementation/air/taxrelief>.

Mr. David M. Milan
April 13, 2010
Page 2

The TCEQ appreciates your response in this matter. We anticipate that you will submit the revised application; however, if you do not submit an adequate response by the date indicated on this letter, your application will be voided and your application fee will be forfeited under §17.20(b). If you have any questions or require clarification, please contact Ronald Hatlett with the Tax Relief for Pollution Control Property Program at the letterhead address, Mail Code 110, by telephone at (512) 239-6348, or by e-mail at rhatlett@tceq.state.tx.us.

Sincerely,



Chance Goodin, Team Leader
Stationary Source Programs
Air Quality Division

CG/rh

Enclosure

cc: Chief Appraiser, Collin County Appraisal District, 250 W Eldarodo Parkway, McKinney, Texas 75069